

K&K FORM (5/00)

REF. 347005

RCE/1600

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL FORM (37 C.F.R. § 1.114)**

DOCKET NO. 11245/48201	APPLICATION SERIAL NO. 09/036,724	EXAMINER Gary B. Nickel	ART UNIT 1644 RECEIVED																																																	
INVENTOR(S): FERRONE, et al.		JAN 02 2004 <i>TECH CENTER 1600/2900</i>																																																		
<p>Address to:</p> <p>Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 22, 2003 By: <i>Kathryn M. Lumb</i> (Reg. No. 46,885)</p>																																																				
<p>This is a request for continued examination under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 09/036,724, filed on <u>March 6, 1998</u>, entitled <u>ACTIVE IMMUNIZATION AGAINST ANGIOGENESIS-ASSOCIATED ANTIGENS</u></p> <p>The following constitute the submission <u>required</u> by 37 C.F.R. § 1.114(a) and is attached:</p> <p><input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Drawing Changes <input checked="" type="checkbox"/> Other Submission: <u>Declaration Under 37 C.F.R. § 1.132 of Daniel J. Hicklin, Ph.D.</u></p> <p>1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.</p> <table border="1"> <thead> <tr> <th></th> <th>CLAIMS REMAINING AFTER AMENDMENT</th> <th>MINUS</th> <th>HIGHEST NUMBER PREVIOUSLY PAID FOR</th> <th>PRESENT NUMBER EXTRA*</th> <th>RATE (\$) PER CLAIM</th> <th>FEE (\$)</th> </tr> </thead> <tbody> <tr> <td>BASIC FEE</td> <td>13</td> <td></td> <td></td> <td></td> <td></td> <td>770.00</td> </tr> <tr> <td>TOTAL CLAIMS</td> <td>8</td> <td></td> <td>20</td> <td>0</td> <td>18.00</td> <td>0.00</td> </tr> <tr> <td>INDEPENDENT CLAIMS</td> <td>1</td> <td></td> <td>3</td> <td>0</td> <td>86.00</td> <td>0.00</td> </tr> <tr> <td>MULTIPLE DEPENDENT CLAIM</td> <td></td> <td></td> <td></td> <td></td> <td>290.00</td> <td>0.00</td> </tr> <tr> <td colspan="4">3/2003 SLUANGI 00000046 110600 09036724 0:2801 385.00 DA</td> <td>'Number extra must be zero or larger</td> <td>TOTAL</td> <td>770.00</td> </tr> <tr> <td colspan="5">If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.</td> <td>SMALL ENTITY TOTAL</td> <td>385.00</td> </tr> </tbody> </table>					CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)	BASIC FEE	13					770.00	TOTAL CLAIMS	8		20	0	18.00	0.00	INDEPENDENT CLAIMS	1		3	0	86.00	0.00	MULTIPLE DEPENDENT CLAIM					290.00	0.00	3/2003 SLUANGI 00000046 110600 09036724 0:2801 385.00 DA				'Number extra must be zero or larger	TOTAL	770.00	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.					SMALL ENTITY TOTAL	385.00
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2. Please charge the required RCE and submission filing fee of **\$385.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
3. Applicants respectfully request a five-month extension of time in which to file a response to the Notice of Appeal filed May 22, 2003, for which a response period expiring on July 22, 2003 was set. The extended period expires on December 22, 2003. Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$1,005.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
5. A duplicate copy of this transmittal form is enclosed.

Respectfully submitted,

Dated: December 22, 2003

By:



Kathryn M. Lumb (Reg. No. 46,885)
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CUSTOMER NO. 26646



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/036,724
Applicant : Soldano FERRONE et al.
Filed : March 6, 1998
TC/A.U. : 1642
Examiner : Gary B. NICKOL
Docket No. : 11245/48201
Customer No. : 26646

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This Amendment is a submission accompanying a Request for Continued Examination (RCE) under 37 C.F.R. §1.114(a). On May 19, 2003, in response to the Final Office Action dated November 19, 2002, Applicant filed a Petition under 37 C.F.R. § 1.136(a) to extend the period for response three (3) months, up to and including May 19, 2003. On May 19, 2003, Applicant concurrently filed a Notice of Appeal with the

Certificate of Mailing

I hereby certify that this **AMENDMENT** (along with any documents referred to as attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on December 22, 2003.

A handwritten signature in black ink, appearing to read "Patent Mkt".

required fee. The Notice of Appeal was received on May 22, 2003, thereby setting the time for filing an Appeal Brief to July 22, 2003 and with a five month extension of time to December 22, 2003. The fee required under 37 C.F.R. § 1.17(c) accompanies this submission. Accordingly, Applicant is timely submitting the RCE.

In response to the Office Action of November 19, 2002, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 5 of this paper.